

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BARRY COHEN, <i>et al.</i> ,	:	Case No. 1:06-CV-2518
	:	
Plaintiffs,	:	JUDGE KATHLEEN M. O'MALLEY
	:	
v.	:	
	:	ORDER
GENERAL MOTORS CORP., <i>et al.</i> ,	:	
	:	
Defendants.	:	

In resolution of the *Motion to Intervene As a Party on Behalf of Phineas A. Adler and His Proposed Class* (Doc. 2) currently pending in this matter, the Court hereby **ORDERS THAT:**

- The *Motion to Intervene As a Party on Behalf of Phineas A. Adler and His Proposed Class* (Doc. 2) is **DENIED**. The proposed “intervention” seeks to add a new class of unrelated plaintiffs with new claims against, among others, a new defendant. No such intervention is authorized by the Federal Rules of Civil Procedure. Because the motion actually seeks to assert a new action, and joinder of that action with the current is not proper under Rule 20, the proper course of action under the circumstances is to file a new complaint, note that the case is related to this action, and, if warranted, move to consolidate the cases for discovery or trial.
- The “new party” plaintiff class described in plaintiffs’ amended complaint (Doc. 1-4, ¶ 48) which brings new, though similar, claims against “new party” defendant General Motors Acceptance Corporation as well as the remaining defendants, shall be **SEVERED**. That putative class of plaintiffs will become a putative class of plaintiffs in a new lawsuit, entitled: “*Suri Skorski, et al. v. General Motors Acceptance Corporation, et al.*,” to which a new case number will be assigned. No additional filing fee will be necessitated, however, by this administrative severance.

- For each *new* case related to this matter, the plaintiff shall pay a civil filing fee and file a civil cover sheet. In the box on the civil cover sheet allocated for related cases, the plaintiff shall note: "Case No. 06-CV-2518."
- The Clerk is directed to assign all such related cases to the undersigned. Alternatively, if not so assigned, the parties shall pursue transfer of the related actions in accordance with the Local Rules.

Furthermore, the Court **ORDERS** that: (1) all attorneys filing related cases in the future should avoid attempting to join unrelated plaintiffs with distinct claims bringing claims against, among others, non-party defendants via a motion made pursuant to Federal Rule of Civil Procedure 24; and (2) all attorneys and the Clerk of Court shall comply with the procedures discussed above, to any future-filed related case.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: November 9, 2006